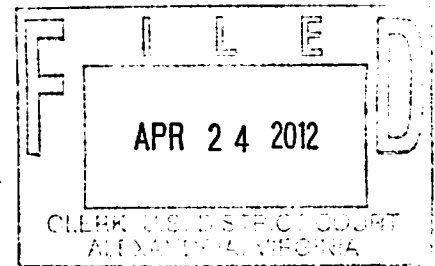


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(Alexandria Division)



TECSEC, INC.,

Plaintiff,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION, *et al.*,

Defendants.

Case No. 1:10-cv-115-LMB/TCB

**JUDGMENT**

On March 3, 2011, the Court entered an Opinion and Order (the "Memorandum Opinion") that, among other things construed certain disputed terms of U.S. Patent Nos. 5,369,702; 5,680,452; 5,717,755 and 5,898,781 (collectively referred to as the "DCOM Patents").

Plaintiff TecSec, Inc. ("TecSec") has agreed and stipulated that, subject to its right to appeal the Court's rulings related to claim construction issues as set forth in the Memorandum Opinion, based on the Court's constructions of the disputed terms of the DCOM Patents, defendants SAS Institute Inc., SAP America, Inc., SAP AG, Cisco Systems, Inc., Oracle America, Inc. (f/k/a SUN Microsystems, Inc.), Sybase, Inc., Software AG, Inc., Software AG, Adobe Systems Incorporated, PayPal, Inc. ("PayPal"), and Oracle Corporation (herein collectively, the "Defendants") have not infringed and do not infringe the DCOM Patents as alleged by Plaintiff.

Specifically, TecSec has stipulated that under the Court's construction of the term "multimedia" as set forth in the Memorandum Opinion, Defendants have not infringed and do not infringe the asserted claims of the DCOM Patents because the patent claim term

**“multimedia” as construed is not met with respect to Defendants’ accused products, processes and services as set forth in TecSec’s Infringement Contentions.**


**Further, TecSec has stipulated that under the Court’s construction of the term “multi-level . . . security” as set forth in the Memorandum Opinion, Defendant PayPal has not infringed and does not infringe the asserted claims of the DCOM Patents because the patent claim term “multi-level . . . security” as construed is not met with respect to PayPal’s accused products, processes and services as set forth in TecSec’s Infringement Contentions.**

**Defendant SAS Institute, Inc. (“SAS”) has asserted counterclaims in this action regarding the DCOM Patents. In view of TecSec’s stipulation of no infringement, the Court hereby dismisses SAS’s counterclaims regarding the DCOM Patents without prejudice, including without prejudice to SAS’s ability to assert such counterclaims in the future, including in the present case.**

**WHEREAS, on April 13, 2012, the Court addressed and overruled certain objections made by the Defendants to the form of TecSec’s proposed Stipulation; and**

**WHEREAS, good cause appearing, and because the Court finds that there is no just resolution for delay, the Court directs that final judgment be entered with respect to TecSec’s infringement claims with respect to the DCOM Patents.**

IT IS HEREBY ORDERED this <sup>th</sup>24 day of April, 2012, that SAS's counterclaims are dismissed without prejudice, and in accordance with Fed. R. Civ. P. 54(b), JUDGMENT is hereby entered in favor of the Defendants on TecSec's infringement claims with respect to the DCOM Patents.

  
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/s/ Leonie M. Brinkema  
United States District Judge